

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEANDRE MILLER,

Defendant.

CASE NO. CR14-5302BHS

ORDER

This matter comes before the Court on the parties' Stipulated Motion to Continue Trial Date and Pretrial Motions Deadline. The Court, having considered the stipulated motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. Defense counsel recently received and reviewed initial discovery and needs additional time to review discovery with the Defendant and to conduct an independent investigation, including interview of witnesses.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of
3 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
5 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best interests of
7 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

8 6. Defendant waived speedy trial through March 31, 2015.

9 NOW, THEREFORE, IT IS HEREBY ORDERED

10 That the trial date is continued from October 28, 2014, to January 13, 2015, at 9:00 a.m.
11 Pretrial Conference is set for January 5, 2015, at 11:00 a.m. Pretrial motions are due by
12 December 3, 2014. The resulting period of delay from September 12, 2014, to January 13, 2015,
is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

13 Dated this 18th day of September, 2014.

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16 BENJAMIN H. SETTLE
17 United States District Judge
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